

**DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN**

MITCHELL N. NICHOLAS,)	
)	
Petitioner,)	
)	
v.)	Civil Action No. 2013-0075
)	
PEOPLE OF THE VIRGIN ISLANDS,)	
)	
Respondent.)	
)	

Appearances:

Mitchell N. Nicholas, *Pro Se*

Dionne G. Sinclair, Esq.,
St. Thomas, U.S.V.I.
For Respondent

ORDER

UPON CONSIDERATION of Petitioner Mitchell Nicholas’ (“Petitioner”) “Motion Pursuant to Fed R. Civ. P. Rule 60(b)(6), 28 U.S.C.A.” (“Motion”) (Dkt. No. 59); Magistrate Judge George W. Cannon Jr.’s Report and Recommendation (“R&R”) (Dkt. No. 69); Petitioner’s objection thereto (Dkt. No. 70); Petitioner’s “Motion for an Evidentiary Hearing” (Dkt. No. 65); Petitioner’s “Motion for Emergency Hearing” (Dkt. No. 77); and Petitioner’s “Motion for an Urgent Evidentiary Hearing Under Fed. R. Civ. P. 60(b)(3),(6)” (Dkt. No. 78); and for the reasons set forth in the accompanying Memorandum Opinion filed contemporaneously herewith; it is hereby

ORDERED that Magistrate Judge Cannon’s R&R (Dkt. No. 69) is **ACCEPTED** on the sole basis that the Court lacks jurisdiction over this matter; and it is further

ORDERED that Petitioner’s Motion (Dkt. No. 59) is **DENIED**; and it is further

ORDERED that Petitioner's "Motion for an Evidentiary Hearing" (Dkt. No. 65); Petitioner's "Motion for Emergency Hearing" (Dkt. No. 77); and Petitioner's "Motion for an Urgent Evidentiary Hearing under Fed. R. Civ. P. 60(b)(3),(6)" (Dkt. No. 78) are **DENIED**; and it is further

ORDERED that the Clerk of Court shall provide a copy of this Order and its accompanying Memorandum Opinion to Petitioner by certified mail, return receipt requested.

SO ORDERED.

Date: September 14, 2020

_____/s/_____
WILMA A. LEWIS
Chief Judge